

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

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SO. DIST. OF GA.

UNITED STATES OF AMERICA

v.

Oswaldo Badosa

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4:07CR00420-2

ORDER

On November 16, 2016, the defendant filed a pro se motion with the Court asking for early termination from his three-year term of supervised release. In the motion, the defendant mistakenly indicates that he has been under supervised release for one year and six months. The Court notes Badosa has actually been under the supervised release term for one year and three months. The motion references that United States Probation Officer Samantha Reid does not oppose the defendant's request for early termination.


Upon review of the defendant's presentence investigation report, the Court notes that the defendant has three prior convictions that involve the element of physical or domestic violence and two other prior arrests for aggravated battery/elderly and assault or battery. In addition, Badosa has prior convictions for possession of cocaine and grand theft auto and a prior foreign conviction for trafficking cocaine in the country of Ecuador.

Pursuant to Monograph 109: Supervision of Federal Offenders, Section 380.10(b), the general criteria for assessing whether an offender is an appropriate candidate for early termination prior to serving 18 months of probation or supervised release includes no history of violence (Section 380.10(b)(4)).

As stated previously, Badosa has three prior convictions which involved the element of physical and domestic violence, and two other arrests which include aggravated battery and assault. Therefore, as the defendant has only served fifteen months of his supervised release term, the defendant does not meet the criteria for early termination at this time.

Given the aforementioned, the defendant's motion for early termination of his supervised release term is **DENIED**.

SO ORDERED this 17th day of February, 2017.



William T. Moore, Jr.
Judge, U.S. District Court